

North Carolina Cost Share Programs Review Summary  
(December 2017)

County	<u>Vance</u>	Date of Previous Review/Report	<u>2012</u>
District Staff Name(s)	<u>Byron Currin, Carolyn Stevenson</u>	Date	<u>12/8/2017</u>
NRCS Staff Name(s)	<u></u>		
Division Representative(s)	<u>Lisa Fine, Louise Hart</u>		
Additional Participants	<u></u>		

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Section 1: Application Procedures and Tracking Progress (BMP Implementation and Payments) Questions in this section focus on how the district advertises the program, how applications are developed, how contracts are developed, how funds are tracked and how the board approves each.										
How/when are the district board meetings scheduled?				X	The board meetings are set for the second Thursday of the month at 5:45 p.m.		X			
How do you notify the public of the board meeting schedule? Does it adhere to the Open Meetings Law?				X	Notice of board meetings posted outside of office and on website and county website. Yes, it adheres to Open Meetings Law.		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Please describe the district's process for providing assistance to applicants by assessing resource concerns to determine if a BMP is "needed and feasible" and then developing the conservation plan.				X	Most clients are familiar with programs and come in or call the office. Byron goes to the field to see what they want and determine the resource concern. Once he explains what can be done he will go over requirements of our programs to fix their resource concern.		X			
Does the district provide technical assistance without cost share funds?				X	Yes, layout for waterways, diversions that don't get cost share. Surveying land for farmers. Getting more urban landowners with drainage issues.		X			
What type of technical assistance is provided without cost share funds?				X	See above.		X			
Are applications reviewed and approved by the Board as a separate action item?				X	Yes, there is evidence that applications are reviewed and approved as separate action items.		X			
Are application motions/decisions recorded in the board minutes?				X	Yes, it is recorded in the minutes.		X			
Applicants are limited when applying for incentive BMPs. How does your district track applicants so they do not go over the practice caps and to be sure they haven't already "adopted" the practice?  Is your district using the self-certification for incentives form provided by the division?				X	Byron knows farmers. He went back through their files to track amounts to make sure no one goes over the cap. He checks with neighboring districts too.  He is aware of and uses the self-certification form.		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
If multiple partners farm together, how does the district track individual applicants as one operation or entity?				X	Byron knows them and tracks on his spreadsheet. District has a good relationship with FSA and does use them to check things.		X			
At what point in the application process does the district develop the contract? (After Ranking, After Application Approved?) Describe this process.				X	Before going through the application process Byron will check field for resource concern first then will go through application/contracts once it is determined the landowner/cooperator wants to do it and can meet the requirements but also that they are eligible.		X			
Describe how the district reviews the contract with the applicant. Do you explain that work cannot begin until the contract is approved by the division?				X	Cooperators come in or Byron goes out and goes over everything. Explains requirements and when work can begin. He goes over the timeline including the 1/3 rule.		X			
Describe the district/board's procedure for approving supervisor contracts.				X	The supervisor abstains from voting and they make sure they have a quorum. No points given or taken away for being a supervisor.		X			
Is it documented in the Board minutes that the supervisor abstained from discussing his/her own contract and from voting?				X	Yes, it is noted in the minutes that supervisors have abstained from board meetings.		X			
Is each contract reviewed in detail with the board before approval? Do you project CS2?				X	Byron presents the contracts before the board after he has done his visit and determined that the application is eligible. Byron does a report on funds		X			


Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
					available based on CS2 but does not actually project it. Recommended that district present their spreadsheet and explain funds and what has been done so far and give more information on what is being voted on.					
Are contracts reviewed and approved by the Board as a separate action item?				X	Yes, contracts are reviewed and approved as separate action items.		X			
Are contract motions/decisions recorded in the board minutes?				X	Yes, it is recorded in the board minutes.		X			
What procedures do you follow for notifying the applicant that work can begin?				X	Byron calls the cooperators to let him know that work can begin.		X			
What information do you provide the applicant?				X	Byron gives the farmer designs and seeding rates.		X			
What technical assistance do you provide during the BMP installation process to ensure the BMP is installed correctly and by the contract deadline?				X	Byron gets with the contractor on site or here in the office to give them the designs, he gets pictures of before and after installation. Byron is on site sometimes when BMPs are installed but does not actively get involved in installation.		X			
How do you track the Commission's interim performance milestone? One-third of the work must be completed within 12 months of division approval. Are you using CS2?		X			Byron looks at CS2 or at least once a year he goes through his contracts to see if it's completed or if the farmer needs to be notified of the upcoming	X		The district plans to keep track of active ACSP contracts using an excel spreadsheet. A 1/3 date column will be added to keep track	From now moving forward.	Plan of Action Accepted.


Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
					1/3 date. <b>Recommendation:</b> the district should add 1/3 date column to spreadsheet to be able to track when the date is approaching.  <a href="http://www.ncagr.gov/SWC/costshareprograms/documents/interim_performance_milestones_csp_contracts.pdf">http://www.ncagr.gov/SWC/costshareprograms/documents/interim_performance_milestones_csp_contracts.pdf</a>			of the Commission's interim performance milestone. This will be used in addition to CS2.		
If 1/3 of the work has not been completed within 12 months and the cooperators requests additional time, is the district recording 6-month extensions in the board minutes?				X	The district has not had this happen but would record this in the minutes when it does happen.		X			
What documentation do you include in the contract file that certifies that the BMP was inspected and is installed to the standards?	X				Byron uses construction checkout forms for waterways and 6 notes. He also uses pictures to document what is on the ground.  The district is <b>commended</b> for their efforts to document resource concerns and for making sure the BMP installation is measured and recorded and that it meets standards and documentation is in the contract file.		X			
Are BMPs measured then certified before the request for payment is approved? How is this documented?				X	Yes, Byron measures and completes the RFP and then presents it to the board for approval. Document in 6 notes and checkout sheets.		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Are receipts received and reviewed for CSP BMPs that are based on actual cost?				X	Yes, Byron gets receipts and keeps in the contract file.		X			
Are request for payments reviewed and approved by the board as a separate action item?				X	Yes, RFPs are reviewed and approved as separate action items. No payments have been signed outside of board meetings as of now.		X			
Are payment motions/decisions recorded in the board minutes?				X	Yes, motions were recorded in the minutes.		X			
<b>Section 2: Spot Checks and Compliance Issues</b> Questions in this section focus on how the district reviews BMPs for compliance and how maintenance and/or non-compliance issues are addressed.										
Are all BMPs under the waste management category spot checked for the first five years after installation? This applies to all farms that fall under the thresholds that are regulated by DWR.				X	They do not have many waste contracts and have not had to do this while Byron has been here but he is aware of the process of pulling the waste plans for review.		X			
How does the district notify the NRCS area office or division to conduct spot checks for contracts that need to be spot checked by someone outside of the district? (See Spot Check Policies for each program)				X	Byron gives NRCS a list and it is sent up to NRCS Area Office. Someone from NRCS comes to the district to review the contract.		X			


Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
The North Carolina Statute 02 NCAC 59D.0107(f) states "If the technical representative of the district determines that a BMP for which program funds were received has been destroyed or has not been properly maintained, the applicant will be notified that the BMP must be repaired or re-implemented within 30 working days. For vegetative practices, applicants are given one calendar year to re-establish the vegetation."  How does your district notify individuals that have destroyed or mismanaged a BMP?				X	Byron sends non-compliance letters to cooperators. He also tries to talk to them in person about repairing their BMPs and what is required.		X			
How are supervisors notified of BMPs that are found to be destroyed or mismanaged at any time throughout the year?				X	This is discussed during a board meeting.		X			
Does the district provide a written notice that the BMP must be repaired or re-implemented within 30 working days? (Vegetative practices have to be reestablished within one calendar year.) Is a copy of the notification kept in the contract file?				X	Yes, the district provides written notice and a copy is kept in the contract file.		X			
If the BMP was not repaired or re-implemented, was repayment requested? Please provide documentation.				X	Byron has not had this happen since he has been there.		X			
Is the district notifying the division of non-compliance and resolutions?				X	The division is notified through the spot check report.		X			


Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
<b>Section 3: Record Keeping</b> Questions in this section focus on how funds are managed and accounted for, maintaining proper design and job approval authority, as well as disclosure forms.										
Do you use the CS2 reports to show the board available program funds, encumbrances and expenditures?				X	Byron does not project CS2 at board meetings but does use the reports himself.		X			
Does your district meet the requirements set forth in the LGFCA (Local Government Fiscal Control Act)? (see district WIKI for compliance dates)				X	The district does not receive any TA, operating or matching funds in their office. It all goes to the county.		X			
How are technical assistance and operating funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	District prepares the TA request form and the county finance manager signs it. The county tracks it. Last audit was done in June by an outside CPA firm.		X			
Who in the office does work for Cost Share Programs?				X	Byron Currin		X			
How are matching funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	County gets the money, tracks it, gets it audited with other county funds. District has to request money for items it needs.		X			
Is proper job approval authority (JAA) documented for each technical and cost share position? Please provide a copy of the latest approved JAA. (Print a copy of what is in the data base. Does it match the district's version?)				X	Byron doesn't have any JAA but is working on getting some. The district doesn't have a permanent NRCS person in the office.		X			


Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Section 4: Contract Reviews and Site Visits Below is a list of the contracts the division reviewed. Spot checks were also conducted. Notes include recommendations and/or corrective action for contract files as well as the BMP. Contracts/BMPs are listed by contract number.										
Contract Number: 91-2009-677 Applicant Name: Wilton Short, Jr. BMP: pasture renovation 			X		<u>Contract file:</u> See <b>General Contract Summary Notice</b> at the end of this document for recommendations.  <u>BMP:</u> Field has high grazing pressure and essentially has nothing left to graze. This contract was found out of compliance for the same issue during the previous program review and therefore, the cooperators is found out-of-compliance a second time and must pay back a prorated amount of funds calculated from when he was first found out-of-compliance.  <a href="http://www.ncagr.gov/SWC/costshareprograms/ACSP/documents/pasture_renovation.pdf">http://www.ncagr.gov/SWC/costshareprograms/ACSP/documents/pasture_renovation.pdf</a>  <a href="http://www.ncagr.gov/SWC/costshareprograms/documents/cooperator_non_compliance.pdf">http://www.ncagr.gov/SWC/costshareprograms/documents/cooperator_non_compliance.pdf</a>	X		The district sent the producer a noncompliance letter as required. The letter was sent as certified mail and was mailed to the producer on 2/26/18. Copies of commission policy and the refund calculator were included with directions on where to mail and address checks to.	Letter sent 2/26/18. Waiting to receive back mail receipt. Producer may want a chance to discuss policy with division staff and commission before paying back prorated funds.	Cooperator/super visor can attend a SWCC meeting and speak during the public comments.  Follow-up is required for this corrective action. Payment of a refund dating back to the date when originally found out-of-compliance is required.  Still open until this is completed.


Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Contract Number: 91-2010-695 Applicant Name: Larry Baker BMP: cropland conversion to trees  				X	No concerns with contract file.  No concerns with BMP.		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Contract Number: 91-2011-728 Applicant Name: Wilton Short BMP: diversion				X	No concerns with contract file.  No concerns with BMP.		X			
Contract Number: 91-2012-734 Applicant Name: Rudy Abate BMP: pond sediment removal				X	Soil loss calculations should be included in contract file.  No concerns with BMP.		X			
Contract Number: 91-2014-767 Applicant Name: Wilton Short, Jr. BMP: sod-based rotation				X	No concerns with contract file.  No concerns with BMP.		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
										
Contract Number: 91-2013-757 Applicant Name: Janet Slaughter BMP: cropland conversion to grass		X			No concerns with contract file.  The grass in fields 11 and 13 is brown and the fields need maintenance.  <a href="http://www.ncagr.gov/SWC/costshareprograms/ACSP/documents/cropland_conversion.pdf">http://www.ncagr.gov/SWC/costshareprograms/ACSP/documents/cropland_conversion.pdf</a>	X		Producer will be notified of maintenance needed. District staff will give assistance where needed to keep the contract in proper working order.	Reseeding of any vegetation needs to be implemented within the year. (Allows to include optimal seeding dates)	The district should provide evidence that the maintenance requirements have been met and show the results via photos sent to the cost share specialist.

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
										This is considered open until photos are received by the division specialist showing replant.
<div>Contract Number: 91-2014-771</div> <div>Applicant Name: Janet Slaughter</div> <div>BMP: pond sediment removal</div> <div></div>				X	<div>No concerns with contract file.</div> <div>No concerns with BMP.</div>		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
<p>Contract Number: 91-2016-002 Applicant Name: Wilton Short, Jr. BMP: grassed waterway</p> 			X		<p>No concerns with contract file.</p> <p><b>BMP: Corrective Action:</b> Grassed waterway #1 has a bad wash and needs repaired and reseeded. Grassed waterway #2 needs maintenance.</p> <p><a href="http://www.ncagr.gov/SWC/costshareprograms/ACSP/documents/grassed_waterways.pdf">http://www.ncagr.gov/SWC/costshareprograms/ACSP/documents/grassed_waterways.pdf</a></p>	X		<p>The district sent the producer a noncompliance letter as required. The letter was sent as certified mail and was mailed to the producer on 2/26/18. Copies of commission policy were included. District staff will follow up to ensure waterways are properly repaired and reseeded, giving assistance where needed. Reestablished vegetation will need to be maintained.</p>	<p>Reseeding of any vegetation needs to be implemented within the year. (Allows to include optimal seeding dates)</p>	<p>The district should provide evidence that the maintenance requirements have been met and show the results via photos sent to the cost share specialist.</p> <p>Follow-up is required on this corrective action and is still open until results are provided to the division via photos.</p>
<p>Contract Number: 91-2016-004 Applicant Name: Robert Norwood BMP: pond sediment removal</p>				X	<p>No concerns with contract file.</p> <p>No concerns with BMP.</p>		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
										
General Contract Summary Notice					The division needs more documentation on the 6 notes/other records of cooperators requests (how did the district get contacted), site visits, what was given to the cooperator, etc... Make sure to include the method for getting the required effects NCANAT, RUSLE, PLAT and the calculations in your contract file as well to show how you came up with those values.	X		Newer contracts that the current staff has handled include documented 6 notes in them. Older contracts that were reviewed were the ones without enough documentation. Moving forward district staff will be sure to include required RUSLE effects and calculations.	From now on moving forward.	